HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE P. SWAROOP REDDY

W.P. Nos.18770, 18835, 18865, 18955, 19155, 19059, 19082, 19166, 19263, 19308, 19165, 19356 & 19245 OF 2007

DATE: 29.10.2007

WRIT PETITION No.18770 OF 2007

Between:

Mohammad Jameeluddin

..... PETITIONER

AND

The Station House Officer,
Saidabad Police Station
& 4 others.

.....RESPONDENTS

WRIT PETITION No.18835 OF 2007

Between:

Naseem Begum

..... PETITIONER

AND

The Inspector of Police, Task Force,
Special Investigation Team, Hyderabad
& Another.

.....RESPONDENTS

WRIT PETITION No.18865 OF 2007

Between:

Naseem Begum

..... PETITIONER

AND

The Director General of Police,
Govt. of Andhra Pradesh,
Secretariat, Hyderabad & others.

.....RESPONDENTS

-

WRIT PETITION No.18955 OF 2007

Between:

Rasheeda Begum

..... PETITIONER

AND

The Director General of Police,
Govt. of Andhra Pradesh,
Secretariat, Hyderabad & others.

.....RESPONDENTS

WRIT PETITION No.19155 OF 2007

Between:

Rasheeda Begum

..... PETITIONER

AND

The Inspector of Police,
SIT Task Force, Hyderabad District,
& Another.

.....RESPONDENTS

WRIT PETITION No.19059 OF 2007

Between:

Syed Zulfiqar Hussain

..... PETITIONER

AND

The Director General of Police,
Govt. of Andhra Pradesh,
Secretariat, Hyderabad & others.

.....RESPONDENTS

–

WRIT PETITION No.19082 OF 2007

Between:
Arifunnisa

..... PETITIONER

AND

The Station House Officer,
Rain Bazar Police Station, Hyderabad
& others.

.....RESPONDENTS

–

WRIT PETITION No.19166 OF 2007

Between:

Arifunnisa

..... PETITIONER

AND

The Station House Officer,
Yakutpura Police Station, Hyderabad
& Another.

.....RESPONDENTS

–

WRIT PETITION No.19263 OF 2007

Between:

Syed Zulfeqar Hussain

..... PETITIONER

AND

The Inspector of Police,
Task Force, Kishanbagh Police Station,
Hyderabad & Another.

.....RESPONDENTS

WRIT PETITION No.19308 OF 2007

Between:

M.A. Wahid

..... PETITIONER

AND

The Station House Officer,
Malakpet Police Station, Hyderabad
& others.

.....RESPONDENTS

-

WRIT PETITION No.19165 OF 2007

Between:

Anonymous Telegram from Charminar, Hyderabad.

..... PETITIONER

AND

The Station House Officer,
Charminar Police Station, Hyderabad
& Another.

.....RESPONDENTS

-

WRIT PETITION No.19356 OF 2007

Between:

Asha Bee

..... PETITIONER

AND

The Inspector of Police, Task Force SIT,
Hyderabad, Hyderabad District & another.

.....RESPONDENTS

–

WRIT PETITION No.19245 OF 2007

Between:

Asha Bee

..... PETITIONER

AND

The Director General of Police,
Govt. of Andhra Pradesh,
Secretariat, Hyderabad & others.

.....RESPONDENTS

–

HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE P. SWAROOP REDDY

W.P. Nos.18770, 18835, 18865, 18955, 19155, 19059,
19082, 19166, 19263, 19308, 19165, 19356 & 19245 OF 2007

COMMON ORDER: (Per Hon'ble Sri Justice P.Swaroop Reddy)

In all these matters, the allegation was of illegal detention of the alleged detenus by Task Force and other police of Hyderabad City on the allegation of their suspected involvement in bomb-blasts that have taken place in Hyderabad in recent past at Makka Masjid, Gokul Chat etc.

Counters filed on behalf of the concerned police revealed that there was no illegal detention of the alleged detenus and ultimately it is reported that the alleged detenus were subsequently arrested and have been remanded to judicial custody as per law.

During the course of arguments, on an earlier occasion, it was contended on behalf of some of the alleged detenus that at the time of their remand, the concerned Magistrate recorded their statements. Now, the learned counsel for alleged detenus reports that no such statements have been recorded. Therefore, this Court on 8.10.2007 in some cases directed the Superintendent, Central Prison, Cherlapalli to record the statements of alleged detenus in the presence of the counsel. Now, it is represented that the statements of alleged detenus in W.P.No.18770 and 19082 of 2007 have been recorded.

The statements recorded by the Superintendent, Central Prison, Cherlapalli reveal that when the concerned detenus (in W.P.Nos.18770 and 19082 of 2007) were produced before the Magistrate, they have not stated any illegal detention prior to their production, which shows that the allegation of illegal detention by police may not be true.

Now the learned counsel for the alleged detenus reports that as the alleged detenus are remanded to judicial custody, nothing remains in the writ petitions, but however, persists that the alleged detenus were in illegal detention for some time. The said allegation is a disputed question of fact, which can be decided only basing on evidence and not in writ petitions.

In view of the fact that the alleged detenus are produced before

the Court concerned and they are remanded to judicial custody, the writ petitions have become infructuous. However, it is open to the alleged detenus to initiate proceedings in appropriate Courts in case they were illegally detained by police and the same has to be decided by the Court concerned in accordance with law.

In the above circumstances, all the writ petitions are dismissed as having become infructuous on account of production of the alleged detenus before the concerned Courts and on their remand to judicial custody. No costs.

_____

A. GOPAL REDDY, J.

_____

29th OCTOBER, 2007 P. SWAROOP REDDY, J.

Tsr.